

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-16-0025
RULES 19, 30, 45, 47, and 104,)
RULES OF PROCEDURE FOR THE)
JUVENILE COURT)
)
) **FILED: 09/02/2016**
)
)

ORDER
AMENDING RULES 19, 30, AND 47, RULES OF PROCEDURE FOR THE JUVENILE
COURT

A petition having been filed proposing to amend Rules 19, 30, 45, 47, and 104, Rules of Procedure for the Juvenile Court, and comments having been received, and petitioner having filed a reply withdrawing the proposal regarding Rule 104 and having subsequently also withdrawn the proposal regarding Rule 45, upon consideration,

IT IS ORDERED that Rules 19, 30, and 47, Rules of Procedure for the Juvenile Court, be amended in accordance with the attachment hereto, effective January 1, 2017.

DATED this 2nd day of September , 2016.

/s/

SCOTT BALES
Chief Justice

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TO:
Rule 28 Distribution
David K Byers
Christina M Phillis
Gregory McKay

ATTACHMENT*

Rule 19. Records and Proceedings

A. Contents of Juvenile Court Files.

1. Legal File. The legal file of the juvenile court shall consist of all pleadings, motions, minute entries, orders, or other documents ~~as the court may order~~ as provided by rule or ordered by the court. Within the legal file, the clerk shall file and segregate confidential documents, including any information and documents from the social file submitted to the court as provided in Rule 30(A). In addition, the court may close all or part of the legal file upon a finding of a need to protect the welfare of the victim or another person or a clear public interest in confidentiality. With the exception of the portions of the file marked confidential, or ordered closed by the judge, ~~the legal file shall be open to public inspection without order of the court, except upon a finding by the court of a need to protect the welfare of the victim, another party or a clear public interest in confidentiality.~~ The court shall state its reasons for withholding the legal file, or portions thereof, from public inspection.

2. Social File. The social file shall be maintained by the probation department and may consist of all social records, including diagnostic evaluations, psychiatric and psychological reports, treatment records, medical reports, social studies, Department of Child Safety records, police reports, predisposition reports, detention records, and records and reports or work product of the probation department ~~for use by the court in formulating and implementing a rehabilitation plan for the juvenile and his or her family.~~ The social file of the juvenile shall be confidential and withheld from public inspection except upon order of the court.

Rule 30. Disposition

A. Dispositional Investigation and Report. Prior to the disposition hearing, the court shall order the juvenile probation officer to conduct an investigation and submit a written report to the court with recommendations regarding the disposition of the juvenile. The disposition report shall be confidential and withheld from public inspection except upon order of the court.

*Additions to text are shown by underscoring; deletions by ~~strikeouts~~.

1. The disposition report shall:

- a. [No change].
- b. [No change].
- c. [No change].
- d. [No change].
- e. [No change].
- f. Include and mark any Rule 19(A)(2) social file records relevant to the recommendations;

2. – 5. [No change]

6. Filing of Social File Information and Records in Legal File. The clerk shall file disposition reports and any Rule 19(A)(2) social file records provided with the report and marked confidential in a segregated portion of the legal file.

Rule 47. Release of Information.

A. – B. [No change].

C. If the court grants the request for inspection of court records, the court shall redact any information subject to the requirements of A.R.S. § 8-525(B)(1) and through (6) and A.R.S. § ~~8-807(F)(2)~~ 8-807.01(A)(1).